

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

ANGEL ROSALES, MIGUEL ROSALES, PATRICIA RENTERIA, Plaintiffs, VS. MAZDA MOTOR CORPORATION, Defendant.	§ § § § § § § § § §	 CIVIL ACTION NO. 9:14-CV-132 JURY TRIAL DEMANDED
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AGREED MOTION FOR CONTINUANCE OF THE TRIAL DATE

TO THE HONORABLE UNITED STATES JUDGE OF SAID COURT:

COMES NOW, Plaintiffs Angel Rosales, Miguel Rosales and Patricia Renteria, and respectfully files this Agreed Motion to Extend the Trial Date, and in support hereof would state and show the following:

- This case is set for Trial February 23, 2016 with a discovery deadline of October 23, 2015. The depositions of the Parties' experts had been originally scheduled to occur in early October to comply with these deadlines.
- On September 9, 2015 the United States District Court, Northern District, Amarillo Division set a case to begin trial on October 5, 2015 in a complex products liability case.¹ This trial date, even if first to go, overlaps the previous set dates for expert depositions in the case at bar.
- It is apparent attempting to complete the discovery as it relates to experts in the case at hand would unduly hamper and prejudice the Plaintiffs for both the present case and the case set for trial.

¹ See Order, attached as Ex. A.

- The Defendant is agreeable to the continuance of the trial date for ninety days and the extension of discovery as it relates to experts only.
- As the Court is aware, this case is a products liability case which often hinges on the testimony of experts. As such, Plaintiffs respectfully request the trial date be continued for ninety (90) days so that there is time to complete the expert discovery in this case.

Plaintiffs require this time to adequately prepare and proceed with the trial set in the Amarillo Court the first of October, and then adequately prepare for the providing and taking of expert testimony in the present case.

This motion is not brought for the purpose of delay but so that adequate justice may be achieved in both cases.

Respectfully submitted,

The TRACY firm

/s/ Stewart D. Matthews

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF CONFERENCE

Plaintiffs' counsel, Stewart Matthews, has corresponded with filing Defendants' counsel regarding this motion, and they are in agreement with the continuance of the trial date for ninety days with the deadline for the discovery related to experts being the only discovery deadline extended.

/s/ Stewart D. Matthews _____
Stewart D. Matthews

CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2015, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing.

/s/ Stewart D. Matthews _____
Stewart D. Matthews